

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ALAN WHEELER, ET AL.,	§	
	§	
Plaintiffs,	§	CIVIL ACTION NO. 4:24-CV-00819-
v.	§	SDJ-AGD
	§	
SHANE WILEY,	§	
	§	
Defendant.	§	

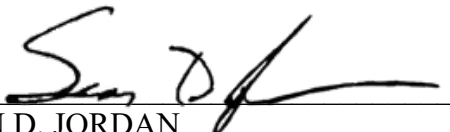
**MEMORANDUM ADOPTING THE REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation (“Report”) of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On September 27, 2024, the Magistrate Judge entered a Report, (Dkt. #7), recommending that the case be remanded to the Justice of the Peace Court, Precinct One, in Denton County, Texas. The court also recommended that Defendant’s Motion for Leave to Proceed *In Forma Pauperis* (Dkt. #4) and Motion for Stay of State Court Proceedings and Temporary Restraining Order (Dkt. #5) be denied as moot in light of the recommendation to remand. On October 4, 2024, Defendant filed objections to the Report (Dkt. #8).

Having received the Report of the Magistrate Judge, considered Defendant’s objections, (Dkt. #8), and having conducted a de novo review, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s report as the findings and conclusions of the Court.

It is therefore **ORDERED** that this case is **REMANDED** to the Justice of the Peace Court, Precinct One, in Denton County, Texas. It is further **ORDERED** that Defendant's Motion for Leave to Proceed *In Forma Pauperis* (Dkt. #4) and Motion for Stay of State Court Proceedings and Temporary Restraining Order (Dkt. #5) are **DENIED AS MOOT**.

So **ORDERED** and **SIGNED** this 7th day of October, 2024.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE